

FILED

APR 29 2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIACLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

UNITED STATES OF AMERICA)

v.)

Criminal No. 19-120

EDUARDO FRANCISCO HERNANDEZ)
VELASQUEZ a/k/a C.A.A.P.)

[UNDER SEAL]

INFORMATION MEMORANDUM

AND NOW comes the United States of America, by its attorneys, Scott W. Brady, United States Attorney for the Western District of Pennsylvania, and Christy Criswell Wiegand, Assistant United States Attorney for said District, and submits this Information Memorandum to the Court:

I. THE INFORMATION

A one-count Information was filed against the above-named defendant for an alleged violation of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
1	Possession of an Identification Document of the United States that is Stolen or Produced without Lawful Authority On or about July 6, 2015	18 U.S.C. § 1028(a)(6)

II. ELEMENTS OF THE OFFENSE**A. As to Count 1:**

In order for the crime of Possession of an Identification Document of the United States that is Stolen or Produced without Lawful Authority, in violation of 18 U.S.C. § 1028(a)(6), to be established, the government must prove all of the following essential elements beyond a reasonable doubt:

1. That on or about the date set forth in the Information, the defendant did knowingly possess an identification document that appeared to be an identification document of the United States which was stolen or produced without lawful authority (18 U.S.C. § 1028(a)(6)).

2. That the defendant did so knowing that such document was stolen or produced without lawful authority (18 U.S.C. § 1028(a)(6)).

3. That the identification document appeared to have been issued by or under authority of the United States (18 U.S.C. § 1028(a)(6)).

III. PENALTIES

A. As to Count 1: Possession of an Identification Document of the United States that is Stolen or Produced without Lawful Authority (18 U.S.C. § 1028(a)(6)):

1. A term of imprisonment of not more than one (1) year (18 U.S.C. § 1028(a)(6)).

2. A fine not to exceed \$100,000 (18 U.S.C. § 3571(b)(5)).

3. A term of supervised release of not more than one (1) year (18 U.S.C. § 3583(b)(3));

4. Any or all of the above.

IV. MANDATORY SPECIAL ASSESSMENT

A mandatory special assessment of \$25.00 must be imposed at each count upon which the defendant is convicted, pursuant to 18 U.S.C. § 3013.

V. RESTITUTION

Restitution may be applicable in this case.

VI. FORFEITURE

Not applicable in this case.

Respectfully submitted,

SCOTT W. BRADY
United States Attorney


CHRISTY CRISWELL WIEGAND
Assistant U.S. Attorney
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